IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 10533 of 2004

Between:

1 M. Samadhanam, S/o. Suranna,
TTA Technician, R/o. Kukutpally, Hyderabad.
2 P. Param Jyothi, S/o. Mark, Technician,
R/o. Kukutpally, Hyderabad.
3 H. Anandam, S/o. Ilayya, Technician,
R/o. Mahalakshmi Temple Road, Warangal.
4 G. Lalitha, W/o. Saibaba, Technician,
R/o. 7th Ward, Karimnagar.
5 B. Kumar, S/o. John,
R/o. H.No. 52-2-1, Harijanawada, Gunadala,
Vijayawada, Krishna District.
6 C. Sunil Kumar, S/o. Late Sudershan Rao, Technician,
R/o. Main Road, Machilipatnam.
7 G. Ashok Kumar, S/o. Venkateshwara Rao, Technician,
R/o. Street No. 5, Gudlavalleru.
8 J. Benerjee Babu, S/o. Jackaraiah, Technician,
R/o. Kuchipudi, Krishna District.

..... PETITIONERS

AND

1 The Union of India,
rep by Secretary to Government,
Department of Telecommunications,
Door Sanchar Bhawan, New Delhi - 110 001.
2 The Director General,
M/s. Bharat Sanchar Nigam Ltd.
Sanchar Bhawan, New Delhi.
3 The Chief General Manager,
M/s. Bharat Sanchar Nigam Ltd.
A.P. Circle, Abids, Hyderabad.
4 The General Manager,
M/s. Bharat Sanchar Nigam Ltd.

Vijayawada, Krishna District.

5 The General Manager (BSNL),
Karimnagar, Karimnagar District.

6 The General Manager (BSNL)
Warangal, Warangal District.

7 The Principal General Manager (BSNL),
Hyderabad District.

8 The General Manager (BSNL)
West Hyderabad. Hyderabad District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to call for the records and issue a writ or order or direction more particular one in the nature of the Mandamus directing the Respondents to consider the petitioners for promotion to the post of Junior Telecom Officers by relaxing the standard in the qualifying marks for the examination of Junior Telecom Officers held on 6th May, 2000 against 35 % quota on the same lines as was granted vide letter No. 12-15/2002-DE dated 10th March, 2003 by M/s Bharat Sanchar Nigam Limited Headquarters in respect of Junior Telecom Officers (15% quota vacancies) Examinations held during the years 1999 and 2000 with all consequential service benefits such as promotion, security arrears of pay and allowances etc., to the posts of Junior Telecom Officers lying vacant in the interest of justice.

Counsel for the Petitioner: Mr. VENKATA RANGADAS KANURI

Counsel for the Respondent Nos: Mr.A.RAJASEKHAR REDDY
& Smt. Chintalapudi Lakshmi Kumari.

The Court made the following ORDER:

This Writ Petition has been preferred by the petitioner seeking a writ or order or direction more particularly in the nature of mandamus directing the respondents to consider the case of the petitioners for promotion to the post of Junior Telecom Officers by relaxing the standard in the qualifying marks for the examination of Junior Telecom Officers held on 6th May, 2000 against 35% quota on the same lines as was granted vide letter No.12-15/2002-DE dated 10th March,2003 by M/s Bharat Sanchar Nigam Limited Head quarters in respect of Junior Telecom Officers (15% quota vacancies) Examinations held during the years, 1999 and 2000 with all consequential service benefits such as promotion, security, arrears of pay and allowances etc., to the posts of Junior Telecom Officers lying vacant.

Though the petitioners have filed this Writ Petition for the aforesaid direction, the learned counsel appearing for the petitioners restricts his prayer only to direct the 3rd respondent to consider and dispose of the representation of the petitioners dated 26-3-2002.

Without going into the contentions of the learned counsel for the petitioners on merits of the case, I am of the opinion that if the representation filed by the petitioners on 26-3-2002 is pending on the file of the 2nd respondent, it is just and proper for me to direct the respondents to consider the representation of the petitioners dated 26-3-2002 and dispose of the same according to law.

Accordingly, the respondents 1 to 3 are directed to consider and dispose of the said representation of the petitioners dated 26-3-2002

within four weeks from the date of receipt of a copy of this order by passing appropriate orders in accordance with law. No costs.

_____

(V.ESWARAIAH,J)

23rd September, 2004
Note: Furnish C.C. within two days
B/o
TSY/BCJ

To

1 The Secretary to Government,
Union of India,
Department of Telecommunications,
Door Sanchar Bhawan,
New Delhi - 110 001.

2 The Director General,
M/s. Bharat Sanchar Nigam Ltd.
Sanchar Bhawan, New Delhi.

3 The Chief General Manager,
M/s. Bharat Sanchar Nigam Ltd.

A.P. Circle, Abids, Hyderabad.

4 The General Manager,
M/s. Bharat Sanchar Nigam Ltd.
Vijayawada, Krishna District.

5 The General Manager (BSNL),
Karimnagar, Karimnagar District.

6 The General Manager (BSNL)
Warangal, Warangal District.

7 The Principal General Manager (BSNL),
Hyderabad District.

8 The General Manager (BSNL)
West Hyderabad. Hyderabad District.

9 Two CD Copies.